

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-20 are presently pending in this application, Claims 1, 3, 5 and 6 having been amended and Claims 11-20 having been newly added by the present amendment.

In the outstanding Office Action, Claims 1-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Takahashi et al. (U.S. Patent 5,735,793).

Claim 1 has been amended and Claims 11-20 have been newly added herein. Specifically, Claims 1, 3, 5 and 6 have been amended to clarify the subject matter recited therein, and these claim amendments are not believed to narrow the scopes of the claims. These amendments and additions in the claims are believed to find clear support in the specification, claims and drawings as originally filed, and no new matter is believed to be added thereby. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language.

Before addressing the outstanding rejection based on the cited reference, a brief summary of Claim 1 is believed to be helpful. Claim 1 according to the present invention is directed to a branching passage assembly for an endoscope and recites: “a forked branching member internally positioned in a casing of a manipulating head assembly to connect a base end of a biopsy channel running through an insertion tube of said endoscope with a biopsy channel entrance way and a suction passage, wherein said forked branching member is retained in position by threaded engagement with an inner end of a biopsy channel entrance pipe fitted in said biopsy channel entrance way, and said forked branching member is associated with restrictive members arranged to restrict movements of said branching member in all directions except a movement in a direction toward said biopsy channel

entrance pipe when said branching member is pulled toward the latter for threaded engagement therewith.” That is, the branching passage member 31 placed within the manipulating head assembly 1 is not directly fixed to any part of the manipulating head assembly 1, but connected by means of threading with the biopsy channel entrance pipe 43 which is fitted in the biopsy channel entrance way 5. The branching passage member 31 is restricted of the movements in all directions except toward the biopsy channel entrance pipe 43 inserted into the biopsy channel entrance way 5 so as to allow threading engagement. The branching passage member 31 is detachably connected with the biopsy channel entrance pipe 43. By providing such a structure, centering of the biopsy channel entrance way pipe 43 to the third connecting portion 42 of the branching passage member 31 can be completed easily in a reliable manner.

Takahashi et al. is directed to an endoscope. Nevertheless, Takahashi et al. does not teach or suggest “a forked branching member internally positioned in a casing of a manipulating head assembly to connect a base end of a biopsy channel running through an insertion tube of said endoscope with a biopsy channel entrance way and a suction passage, wherein said forked branching member is retained in position by threaded engagement with an inner end of a biopsy channel entrance pipe fitted in said biopsy channel entrance way, and said forked branching member is associated with restrictive members arranged to restrict movements of said branching member in all directions except a movement in a direction toward said biopsy channel entrance pipe when said branching member is pulled toward the latter for threaded engagement therewith” as recited in Claim 1. On the other hand, according to Takahashi et al., a bifurcate tube 67 is fixed within a manipulating section 3 by means of screws 68 so that the bifurcate tube 67 cannot be moved toward any direction.¹ A connection cylinder 78 is inserted into a mounting hole 77 of a projection 61 provided on the

¹ See Takahashi et al., column 5, lines 23-26, and Figs. 1 and 5,

manipulating section 3.² Further, a tubular forceps socket 82 is inserted into the connection cylinder 78 to be entered by forceps or other instruments.³ The fore end of the tubular forceps socket 82 is bonded by adhesive to the end face 84 of the bifurcate tube 67.⁴ Therefore, the structure recited in Claim 1 is believed to be distinguishable from Takahashi et al., and thus is not anticipated thereby. Furthermore, because Takahashi et al. does not disclose the structure as recited in Claim 1, Takahashi et al. is not believed to render Claim 1 obvious either.

Claim 11 recites, *inter alia*, “a forked branching member internally positioned in the casing of the manipulating head assembly and configured to connect a base end of a biopsy channel running through an insertion tube of the endoscope with a biopsy channel entrance way and a suction passage, the forked branching member being retained in position by threaded engagement with an inner end of a biopsy channel entrance pipe fitted in the biopsy channel entrance way; and restrictive means for restricting movements of the branching member in all directions except a movement in a direction toward the biopsy channel entrance pipe when the branching member is pulled toward the biopsy channel entrance pipe for threaded engagement therewith,” and thus is also believed to be distinguishable from Takahashi et al.

For the foregoing reasons, Claims 1 and 11 are believed to be allowable. Furthermore, since Claims 2-10 and 12-20 depend directly or indirectly from either Claim 1 or 11, substantially the same arguments set forth above also apply to these dependent claims. Hence, Claims 2-10 and 12-20 are believed to be allowable as well.

² See Takahashi et al., column 5, lines 41-48, and Figs. 1 and 5,

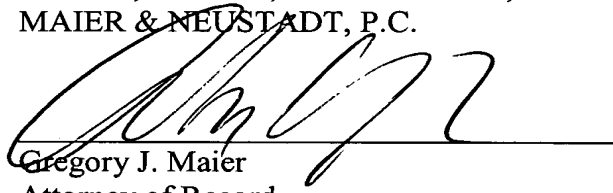
³ See *id.*, column 5, lines 49-60 and Figs. 1 and 5,

⁴ See *id.*

In view of the amendments and discussions presented above, Applicant respectfully submits that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'G. Maier', is written over a horizontal line.

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